

**Minnesota Board of Barber Examiners**  
2829 University Avenue South East, Suite 315  
Minneapolis, MN 55414

Meeting Minutes  
September 27, 2010

The Minnesota Board of Barber Examiners met on September 27, 2010 at 2829 University Avenue South East, Minneapolis, MN 55414; 4th Floor, Conference Room A. Board Members present: Francis Plant, Douglas Klemenhausen, and Jon Stone. Absent: Michael Vekich

**Call to Order**

Chairperson Francis Plant called the meeting to order at 8:04am

**Amend or Approve Agenda**

Member Klemenhausen made a motion to approve the agenda with addition of a waiver request and two other items made by the Executive Secretary. Member Stone seconded the motion. Motion carried unanimously.

**Amend or Approve Minutes**

Member Klemenhausen made a motion to approve the minutes of the July 26th meeting of the Board. Member Stone seconded the motion. Motion carried unanimously.

**New Business**

Legislative Changes: The Executive Secretary introduced language related to the denial of license to individuals convicted of felony level criminal sexual conduct. During the 2010 legislative session language to deny licensure was added to the Board of Chiropractic Examiners practice act. At the time there was discussion of broadening the scope of this language to all the licensing boards. The boards have been asked to indicate if they are in support of this language. Motion by member Stone seconded by member Klemenhausen, motion carried unanimously.

Executive Secretary, Thora Fisko, introduced some potential language changes to propose as housekeeping items in the upcoming legislative session. Suggestions included bring forward some of the items from the 2010 proposals that did not make it through the process:

1. Addition of language to 154.06 regarding apprentice eligibility for incarcerated barbers being extended to begin the four year apprentice eligibility to begin at the date of release. No action taken.
2. Modification of 154.065 to reflect current practice for instructor training requirements, currently the statute requires a MN Dept of Education Vocational Teaching Certificate/License. The Department of Education no longer issues this license. No action taken.
3. 154.07 Addition of a subd 7 requiring students to pay tuition and fees to a first school prior to release of hours to a second school. There was some discussion no action taken.

4. Change to instructor qualifications from three years as a licensed registered (master) barber to 1400 hours.
  - a. Executive Secretary noted that any changes requiring additional tracking of information such as items 4 and 5 will require a fiscal note as additions of staff time, possible program changes to data base etc... will have a fiscal impact on Board operations. No action taken.

Other proposed changes not previously presented to the legislature:

5. 154.08 Drop the requirement to submit pictures at application and change to the presentation of government issued photo ID at test check in. Motion by member Stone in support of this proposal, second by member Klemenhausen, motion carried unanimously.
6. 154.11 & 154.12 Remove "Provided that the other state or country grants the same privileges to holders of Minnesota certificates of registration" from the reciprocity requirements. Removal of this language would permit barbers from states with more stringent requirements than MN to be granted license without examination. Motion by member Stone in support of this proposal, second by member Klemenhausen, motion carried unanimously.
7. 154.11 Remove "for nonresidents" from temporary apprentice permit requirements thereby allowing Master Barbers who have lapsed licenses to be licensed as Temporary Apprentice Barbers for up to six months as they prepare for examination to reinstate their lapsed license. Motion by member Klemenhausen in support of this proposal, second by member Stone, motion carried unanimously.

Further discussions of statutory changes tabled. The Board appointed a subcommittee for further study. Committee will consist of: Chair Francis Plant and member Jon Stone who will meet with Executive Secretary Thora Fisko to further evaluate potential legislation to be proposed.

Instructor Qualifications: Due to the MN Department of Education no longer having a Vocational Teaching License or Certificate there has been some confusion regarding the requirements for a Barber Instructor. On January 11, 2010 the Board approved Instructor courses at Central Beauty School as an acceptable alternative. Executive Secretary, Thora Fisko, proposed the question of the University of Minnesota certificate in Vocational Instruction and/or other accredited college or university programs also being acceptable. There was discussion regarding the qualification and actual program being offered at the Central Beauty School including concerns voiced by Terrie Mau, Moler Barber School that the instructor, Carolyn Kraskey, is a Cosmetologist and the school is a Cosmetology School. This issue was referred to the above appointed subcommittee for further review.

Rewrite of Examinations: The Executive Secretary shared that there have been several requests from schools to replace the current Apprentice Written Examination. There have been reports that there are copies of the examination being circulated among students preparing for the exam. In addition a rewrite of the Registered (Master) Barber Written Examination to update and reflect current practices and stressing statute and rule and business management was also suggested. Options for test development included contracting for a test to be written, exploring use of the National Test by NIC in use in 29 states, or a rewrite by the Board. The Board Chair recommended a proposed timeline for implementation of the new written examinations for February 2011. This issue was referred to the above appointed subcommittee for further review.

## No other new business

## Unfinished Business

No old or unfinished business was brought forward

## Correspondence and waiver requests

1. The Board heard a request by JR who has a MN Apprentice License and has been working in Illinois under the supervision of an Illinois Master Barber. JR has submitted Illinois hours toward his registered (master) barber examination requirements. Research by the ES indicates that he has been working with a licensed Illinois Master Barber in an Illinois licensed Barber Shop. Motion by member Klemenhausen to Approve, second by member Stone, Request Approved.
2. DZ a cosmetology salon owner has submitted a request of variance to license his salon as a Barber Shop with chairs spaced 4'6" apart waiving the 5" rule 2100.7600. Motion by member Stone to Deny, second by member Klemenhausen, Request Denied.
3. The Board heard a request by JJ to waive the additional 500 hours of school prior to retesting for Apprentice License. JJ held an Apprentice License beginning in 1997 that license lapsed and he successfully reinstated license by examination in 2003, that license lapsed and in 2008 JJ failed the examination resulting in the requirement for additional 500 hours of school. It was noted the rule 2100.1000 states "a student who fails..." and JJ was not a student prior to taking the exam. Motion to approve by member Stone, second by member Klemenhausen, Request Approved.

## Inspector Report

Jason Lawson, new Inspector hired August 4, 2010, was welcomed by the Board and presented his report to the Board.

From 8/18/2010 to 9/17/2010 approximately 60 inspections have been conducted and an additional 2 re-inspections. Shop owners and barbers are being educated regarding the statutes and rules, encouraged, and assisted in becoming compliant with statute and rule. Violations include no shop license and an apprentice working alone.

In the process of obtaining compliance information and working with State and County Correctional Facilities regarding barbering activities. Shared a letter drafted for the correctional facilities to address the issue of correctional facilities without licensed barber shops utilizing the services of licensed barbers. Board members reviewed the letter.

There are a few criminal convictions that prohibit someone from possessing a barber license per MN Statute Chapter 214. Inspector Lawson recommends that the board should be asking if someone has been convicted of any crime that would prohibit them from obtaining a barber license at the time of initial application and renewal. There was a great deal of discussion regarding this item as barbers have not been asked to provide this information in the past and there is concern regarding the impact of implementing this now. It was noted that this is legislation that has been in statute for many years. The Executive Secretary and Inspector will work with the Attorney General assigned to the Board in assuring this statute is interpreted and acted upon in an appropriate manner.

### **Executive Secretary Report**

Executive Secretary, Thora Fisko, gave a brief summary of the National Association of Barber Boards of America (NABBA) conference held in St. Paul. Board Chair Francis Plant also attended the conference and noted that former Board Members Teresa Iliff and Ken Kirkpatrick as well as Minnesota School of Barbering owner operator Peggy Schmidt are all to be thanked and commended for their work in planning and hosting the conference.

There are currently a total of 3209 active barber and barber shop licenses in Minnesota. Renewal notices for barber licenses will be mailed over the next two weeks.

A summary of licenses issued through reciprocity was presented to the board. There have been two apprentice and five registered (master) barber licenses issued through reciprocity since March 22, 2010.

The Board was presented with a copy of the current fiscal year 2011 budget and proposed budget for the 2012 – 2013 biennium. There was \$17,329.00 in carryover in the budget created by the vacant positions and minimal operations during part of 2010. In addition base budget was increased to \$257,000 beginning in fiscal 2011. Total available funds for FY 2011= \$274,329.00 funds not spent by the end of fiscal 2011 will roll into the general fund.

Carryover dollars are being used to purchase updated equipment and supplies for the office as the office was set up using second hand equipment donated by the other licensing boards. The equipment so generously given has been adequate however, updated equipment and adequate supplies are needed to assure the continued functioning of the office. In addition a proposal to seek the hire of a ¼ time student employee as a file clerk to manage the continuing backlog of paper documents to be filed was not supported by the Board although the possibility of hiring temporary short term help was suggested.

The Board was presented with Revenue and Expenditure reports for fiscal year 2011 through the end of August. Current FY11 revenue and expenditures Revenue through 8/31/2010 = \$15,645.00; Expenditures through 8/31/2010=\$15,830.70; Balance \$258,498.00

The Board was presented with the Agency Profile summarizing the Boards budget trends and indicating goals for the upcoming biennium. This document will be published by Minnesota Management and Budget at their website as part of the budget process for 2012-2013.

### **Public Comments**

Teri Mau from the Moler Barber School made comments regarding instructor qualifications and training and board examinations.

### **Schedule and Notification of Upcoming Board Schedule**

The next Board Meeting was rescheduled to November 15, 2010 to accommodate mandated training for the Executive Secretary.

Complaint committee meetings will be scheduled as needed.

### **Adjournment**

Upon motion by member Stone seconded by member Klemenhausen Board Chair Plant adjourned the meeting at 9:55 am.